

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHRISTOPHER IWANICKI : CIVIL ACTION

vs. :

COMMONWEALTH OF PENNSYLVANIA, : NO. 09-CV-2566
et al.

ORDER

AND NOW, this 1st day of June, 2010, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, the response thereto and Petitioner's reply, and after review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport and the Petitioner's objections thereto, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Petition for Writ of Habeas Corpus is DENIED with prejudice and DISMISSED without an evidentiary hearing; and
3. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

s/J. Curtis Joyner
J. CURTIS JOYNER, J.